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10/679,598	10/06/2003	Clark E. Mc Call	GP-303157	5928

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CHRISTOPHER DEVRIES
General Motors Corporation
Mail Code 482-C23-B21
P.O. Box 300
Detroit, MI 48265-3000

EXAMINER

PAUL, DISLER

ART UNIT	PAPER NUMBER
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2615

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/679,598

Applicant(s)

MC CALL ET AL.

Examiner

Disler Paul

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claim Objections

1. Claim 24 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 24 claims substantially the exact subject matter as its dependent claim 15 with no further limitation there-in incorporated.
2. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jerome Carter ("US 2002/0150262 A1") and James P. Burgess ("US 6,617,975 B1").

Art Unit: 2615

Re claim 1, Carter discloses a sound processing system for use in an automotive vehicle of the type which includes at least one door ("fig.1-2"), said processing system comprising:

at least one sound sensor coupled to said vehicle for receiving sound external to said vehicle ("page 1 [0014] line 1-3; Fig.1/20, page 2 [0015] line 1-4"); and a sound processor coupled to said at least one sound sensor for comparing said sound signals to first and second predetermined sets of characteristics corresponding respectively to first and second categories of sound ("page 2 [0014] line 1-6; page 2 [0017] line 5-8; page 2 [0021] line 2-5-predetermined sound characteristics is compared"), Carter fail to disclose the at-least one door-lock in the vehicle.

However, Burgess discloses a keyless entry system for the owner of a vehicle in which there are at-least one door-lock ("col.1 line 16-17; col.3 line 19-20") for the purpose of denying access to unauthorized individuals to the vehicles.

Art Unit: 2615

Thus taking the combined teaching of Carter and Burgess as a whole, it would have been obvious for one of the ordinary skill in the art to incorporate the at least one-door lock in Carter for the purpose of denying access to unauthorized individuals to the vehicles as taught by Burgess.

Re claim 2, a sound processing system according to claim 1 wherein said at least one sound sensor is a microphone ("Carter, fig.1/20; page 2[0014] line 1-3").

Re claim 3, a sound processing system according to claim 2 further comprising a user input coupled to said sound processor and located substantially on said vehicle's exterior for activating said sound processor when said vehicle is not occupied ("Burgess, fig.1/30 and fig.2 (112-keypad, 114-processor); col.1 line 30-32; col.4 line 4-6").

Re claim 4, a sound processing system according to claim 3 wherein said sound processor is activated for a predefined time period ("Burgess, col.3 line 56-63; col.5 line 20-23-unlock and then relock denotes predefined time period").

Art Unit: 2615

Re claim 5, a sound processing system according to claim 4 wherein said external sound comprises a vehicle access code ("Burgess, fig. 2/112; fig. 5; col. 2 line 12-18").

Re claim 6, a sound processing system according to claim 5 wherein said second set of predetermined characteristics correspond to a correct vehicle access code ("Burgess, col. 5 line 33-35-recognizes code denotes which was predetermined").

Re claim 7, a sound processing system according to claim 4 wherein said external sound comprises an emergency traffic alert ("Carter, page 1[0013] line 8-9").

Re claim 8, a sound processing system according to claim 7 wherein said first set of predetermined characteristics correspond to an emergency traffic alert ("Carter, page 2[0017] line 5-8; page 1[0013] line 8-9; fig. 2/201").

Art Unit: 2615

Re claim 9, a sound processing system according to claim 8 wherein said emergency traffic alert is a siren ("Carter, page 1[0013] line 8-9").

Re claim 10, a sound processing system according to claim 6 wherein said user input comprises at least one door handle ("Burgess, col.1 line 30; col.2 line 50-53; col.5 line 29-35-sensor may be incorporated in other parts of vehicle to power up/wake up signal").

Re claim 11, a sound processing system according to claim 10 further comprising a feedback generator for providing a user recognizable response ("Carter, fig.1/35; page 2[0018] line 1-3; page 2[0019] line 1-7") when at least a part of said access code is recognized by said processor("Burgess, col.3 line 46-50, fig.40-user code first entered to be recognized by processor").

Re claim 12, a sound processing system according to claim 11 wherein said feedback generator comprises a display("Carter, page 3[0024] line 5-6").

Art Unit: 2615

Re claim 13, a sound processing system according to claim 11 wherein said feedback generator comprises a light-emitting diode ("Carter, page 3[0024] line 6").

Re claim 14, a sound processing system according to claim 11 wherein said feedback generator comprises a sound generator ("Carter, fig.1/(40,45); page 2[0019] line 1-7") ; .

Re claim 15, a sound processing system according to claim 8, the at least one microphone comprises at least a first microphone located proximate a front end of said vehicle and at least a second microphone located proximate a back end of said vehicle ("Carter, Page 2[0014] line 1-8-microphones at different locations of vehicles to detect different sounds").

Re claim 16, a sound processing system for use on an automotive vehicle of the type which includes at least one door a door handle, said system comprising ("fig.1-2") : at least one sound sensor coupled to the exterior of said vehicle for receiving an external sound ("page 1[0014] line 1-3; Fig.1/20, page 2[0015] line 1-4") ; an alert generator for notifying an occupant of said vehicle when said

Art Unit: 2615

external sound is an emergency signal ("fig.1/(40,45); page 2[0019] line 1-9") ; a door control module coupled to said door-lock for unlocking said door; and a sound processor coupled to receive said external sound and coupled to said vehicle occupancy sensor ("page 2[0017] line 1-8"), However, carter fail to disclose the at-least one door-lock in the vehicle.

However, Burgess discloses a keyless entry system for the owner of a vehicle in which there are at-least one door-lock ("col.1 line 16-17;col.3 line 19-20") for the purpose of denying access to unauthorized individuals to the vehicles. Thus taking the combined teaching of Carter and Burgess as a whole, it would have been obvious for one of the ordinary skill in the art to incorporate the at least one-door lock in Carter for the purpose of denying access to unauthorized individuals to the vehicles as taught by Burgess.

a vehicle occupancy sensor for indicating when said vehicle is occupied ("Burgess,col.4 line 34-36-(door unlock,engine start)") ; ; said alert generator ("Carter,fig.1/(40,45)") ,

Art Unit: 2615

and said door control module for comparing said sound to a first set of characteristics if said vehicle is occupied ("Carter, page 2[0014] line 1-6; page 2[0017] line 5-8; page 2 [0021] line 2-5") and to a second set of characteristics if said vehicle is unoccupied ("Burgess, col.3 line 46-49"), said sound processor for activating said alert generator if said vehicle is occupied and said sound substantially matches said first set ("carter, col.1[0013] line 5-8; col.2 [0020] line 9-12") and for activating said door control module if said sound substantially matches said second set and the vehicle is unoccupied ("Burgess, col.2 line 50-55; col.5 line 53-59-voice actuating to activate processor to be preprogrammed/ prevent false activation denotes sound has to substantially matched second set").

Re claim 17, has been analyzed and rejected with respect to claim 2 respectively.

Re claims 18,22-23, have been analyzed and rejected with respect to claim 10-12 respectively.

Re claims 19-20, have been analyzed and rejected with respect to claim 4-5 respectively.

Art Unit: 2615

Re claim 21, has been analyzed and rejected with respect to claim 8 respectively.

Re claim 24, has been analyzed and rejected with respect to claim 15 respectively.

Re claim 25, a method for providing and for alerting an occupant of said vehicle of an external emergency sound, ("fig.1-2"), said method comprising: receiving an external sound("page 1[0014] line 1-3;Fig.1/20,page 2[0015] line 1-4"); Carter fail to disclose a Keyless entry to an automotive vehicle.

However, Burgess discloses a keyless entry system for the owner of a vehicle in which there are at-least one door-lock and door access mechanism ("col.1 line 16-17;col.3 line 19-20") for the purpose of denying access to unauthorized individuals to the vehicles. Thus taking the combined teaching of Carter and Burgess as a whole, it would have been obvious for one of the ordinary skill in the art to incorporate the at least one-door lock in Carter

Art Unit: 2615

for the purpose of denying access to unauthorized individuals to the vehicles as taught by Burgess.

determining if said vehicle is occupied("Burgess,col.4 line 34-36-(door unlock,engine start)"); comparing said sound with a first and second sets of characteristics, said first set corresponding to an emergency sound("Carter,page 2[0014] line 1-6;page 2[0017] line 5-8; page 2 [0021] line 2-5") and said second set corresponding to an audible access code("Burgess,col.2 line 50-55-voice activate the wake-up signal to enable access code"); generating a user recognizable alert if said sound substantially matches said first set("carter,col.1[0013] line 5-8; col.2 [0020] line 9-12"); and unlocking said door if said sound substantially matches said second set("Burgess,col.1 line 27-32;col.4 line 20-25").

Re claim 26, a method according to claim 25 wherein said user recognizable alert is a visual alert("Carter,col.3 line 5").

Art Unit: 2615

Re claim 27, the modified disclosure of Carter and Burgess teach the method according to claim 25 as a whole, However, the recently modified of Carter and Burgess fail to teach the further comprising generating a system activation signal before said comparing, However Burgess teaches the further comprising generating a system activation signal before said comparing "Burgess,col.2 line 50-52;col.5 line 29-33") for the purpose of providing a wake-up function signals, thus it would have been obvious for one skill in the ordinary art to incorporate the feature of comprising generating a system activation signal before said comparing in Carter for the purpose of providing a wake-up function signals as taught by Burgess.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Lutter et al.("US 6,778,073 B2") discloses a vehicle audio system with external sensor for detecting objects located outside of the vehicles and further with processor for generating predetermined warning signals based on the particular warning sensors.

Lee et al. ("US 6,639,512 B1") discloses a vehicle equipped with external detectors/sensors, which served to warn of motions in the vicinity of the vehicle.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Disler Paul whose telephone number is 571-272-2222. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2615

DP



VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600